

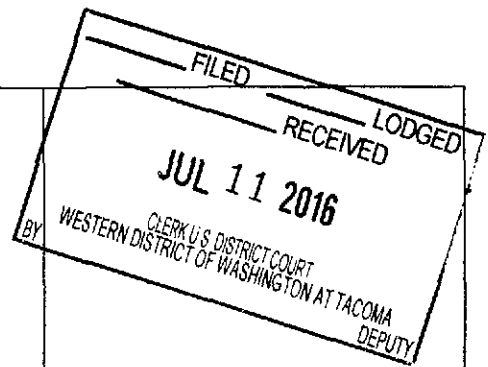
IN THE Western District of Washington - King county  
 1717 Pacific Avenue, Room 3100  
 Tacoma, Washington. 98402-3200; (253) 882-3800

**David Merrill of the VAN PELT family**

v.

**THE UNITED STATES OF AMERICA**

David Merrill  
 3355 North Academy Boulevard STE #189  
 Colorado Springs, Colorado. 80917-5103



**Case #16-cv-5520**

**CLARIFICATION OF CAUSE  
 Warrants Issued**

Dear recipient Clerks;

*Return to Presenter - Mr. BRYAN*

Please file these two refusals for cause (R4C) in the case jacket of Article III (USDC Colorado) 15-MC-145 and in the Fourth Judicial District of Colorado Case #87-DR-3023 and #2015-PR-30754. This is evidence should these presenters continue to make false claims in the future. I provide indictment of Mr. BRYAN and Mr. MARTINEZ in collusion with the cause instant - criminal syndicalism. Mr. BRYAN has been offered redemption found at Pages 2-4 of 84; Doc 6 herein. Mr. MARTINEZ remains indicted by his prior oath of office that is up to snuff, showing criminal intent. Additionally with Mr. David A. GILBERT recused and Mr. MARTINEZ now signing in his stead, we find the process at hand effective execution of law. David Merrill AM I, is the court of record.

**Certificate of Mailing**

My signature below expresses that I have Returned these Presentments Refused for Cause to the Presenters in a timely fashion, with a copy of this clerk instruction and also that the original clerk instruction has been filed with the USDC Clerk of Court with a copy of this Refusal for Cause. Warrants are issued to the US Treasury and US Attorney General.

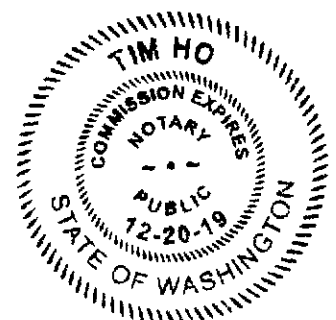
State of WA  
 County Of King

I certify that I know or have satisfactory evidence that  
Tim Ho is/are the person who  
 appeared before me, and signed and sworn  
 on 7/6/2016 (date).

[Signature]  
 Signature Notary Public

12-20-2019  
 Commission Expires

*693927 Fred Thompson*  
 Redeemed Lawful Money  
 Pursuant to 12 USC §411  
[www.law.cornell.edu/uscode/](http://www.law.cornell.edu/uscode/)



**Certificate of Mailing:**

I AM David Merrill (not David L. Merrill) and I have also mailed copies to:

USDC Presenter in Caption. I am adjusting my signature not to have a red thumbprint.

USDC Colorado 15-mc-145 VAN PELT      Priority Mail w/Tracking  
901 19th Street - A105  
Denver, Colorado. 80294

US Attorney General - Loretta LYNCH      Priority Mail w/Tracking  
US Department of Justice  
950 Pennsylvania Avenue, NW  
city of Washington, District of Columbia. 20530-0001

US Treasury      Priority Mail w/Tracking  
1500 Pennsylvania Avenue, NW  
city of Washington, District of Columbia. 20220

Fourth Judicial District Clerk of Court      Priority Mail w/Tracking  
NOTICE LIS PENDENS - #87-DR-3023; #2015-PR-30754  
270 South Tejon Street  
Colorado Springs, Colorado. [80903]

96121500

96 SEP 25 AM 9:26

ARDIS W. SWEET  
EL PASO COUNTY CLERK & RECORDER

1021

Free

OATH OF OFFICE

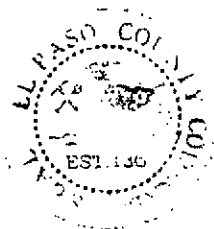
STATE OF COLORADO }  
COUNTY OF EL PASO } ss

I, Gilbert A. Martinez, do solemnly swear in the presence of the everliving God, that I will support the Constitution of the United States and the Constitution of the State of Colorado, and that I will faithfully perform the duties of the office of District Court Judge for the Fourth Judicial District, State of Colorado, to the best of my skill and ability, so help me God.

Gilbert A. Martinez  
Signature

Subscribed and sworn to before me this 12<sup>th</sup> day of January, 1991.

Walter M. Bailey  
Walter M. Bailey, Chief Judge  
Fourth Judicial District



Office of County Clerk and Recorder  
El Paso County, State of Colorado  
Certified to be a full, true and correct  
copy of record in my office.  
Book 96121500 Page 6-25-75  
Date 6-25-75  
By Chuck Broerman  
County Clerk & Recorder, El Paso County, CO  
Deputy

RECEIVED

JAN 14 2011

ELECTIONS  
SECRETARY OF STATE

20110000995 0  
NOTAL OFFICE  
SECRETARY OF STATE  
JAN 14 2011 10:23:01

STATE OF COLORADO )

) ss.

OATH OF OFFICE

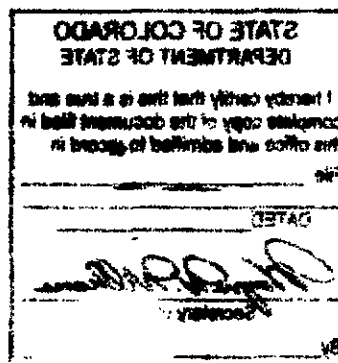
COUNTY OF EL PASO )

I, GILBERT A. MARTINEZ, do solemnly swear that I will support the  
Constitution of the United States and of the State of Colorado; that I will faithfully  
and to the best of my ability perform the duties of the office upon which I am about  
to enter of District Court Judge of the Fourth Judicial District.

Gilbert A. Martinez  
GILBERT A. MARTINEZ

Subscribed and sworn to before me this 11th day of  
January, 2011.

Kirk S. Samuelson  
KIRK SAMUELSON  
CHIEF JUDGE  
FOURTH JUDICIAL DISTRICT



Case 3:16-cv-05520-RJB Document 6 Filed 06/29/16 Page 33 of 84

IN THE Western District of Washington 1717 Pacific Avenue, Room 3100 Tacoma, Washington. 98402-3200; (253) 882-3800	
UNITED STATES OF AMERICA v. CERTAIN PRETEND JUDGES/VACANT OFFICES	
David Merrill 3355 North Academy Boulevard STE #189 Colorado Springs, Colorado. 80917-5103	Case #16-cv-5520
<b>COMPTROLLER WARRANT</b> <b>\$20,000,000.00</b>	

The US Treasurer is to Pay to David Merrill (or David Merrill VAN PELT) \$20,000,000.00 in lawful money by demand pursuant to §16 of the Federal Reserve Act of 1913 and Title 12 USC §411, by sending a Treasury Check to the address captioned above.

State of WA  
 County Of King

Redeemed Lawful Money  
 Pursuant to 12 USC §411  
[www.faw.cornell.edu/usps](http://www.faw.cornell.edu/usps)

I certify that I know or have satisfactory evidence that  
David Merrill is the person who  
 appeared before me, and signed and sworn  
 on 6/29/2016 (date).  
Thomas W. Hardy 5/16/2018  
 Signature Notary Public Commission Expires

Trustee.



Case 3:16-cv-05520-RJB Document 6 Filed 06/29/16 Page 31 of 84

IN THE Western District of Washington 1717 Pacific Avenue, Room 3100 Tacoma, Washington. 98402-3200; (253) 882-3800	
UNITED STATES OF AMERICA v. CERTAIN PRETEND JUDGES/VACANT OFFICES	
David Merrill 3355 North Academy Boulevard STE #189 Colorado Springs, Colorado. 80917-5108	Case #16-cv-5520
Warrant for Arrest	

To: ~~The~~ UNITED STATES MARSHALS SERVICE OR ITS REPRESENTATIVES -  
 GREETINGS:

PURSUANT to the Order for Arrest in personam of Defendants, True Bill Instant -

David GILBERT #13737; Marla PRUDEK #16155; Frances Renee JOHNSON #36200; Kirk Stewart SAMELSON #8832; Gilbert MARTINEZ #8754;

All of whom can be found during typical business at the 4th Judicial District courthouse at 270 S. Tejon Street in Colorado Springs, Colorado; YOU ARE HEREBY COMMANDED TO ARREST the defendants herein described and to make your return as provided by law;

Take the defendants into federal custody in Littleton, Colorado, and

Promptly make your return of this Warrant to the USDC clerk of court in Washington state, address captioned above.

Done on Washington state at Tacoma, near Olympia this 29<sup>th</sup> day of June, Twenty-  
~~four~~ of ~~the~~ King

I certify that I know or have satisfactory evidence that  
David Merrill is/are the person who  
 appeared before me, and signed and sworn  
 on 6/29/2016 (date).  
Thomas W. Hardy 5/11/2019  
 Signature Notary Public Commission Expires

Indemnified Limited Surety  
 Permit No. 12 USC 5612  
 www.farm.com/indemnified



David Merrill - Trustee.



STATE OF WASHINGTON  
DEPARTMENT OF LICENSING

# AFFIDAVIT OF LICENSURE

STATE OF WASHINGTON)  
COUNTY OF THURSTON)S.S

I, Kim Summers, certify that on May 23, 2016 I made a good faith search of the Department of Licensing's records under my custody and control for notary public licensing records pertaining to:

## Thomas W. Hardy

As a result of my search, I found that an initial notary public appointment was issued by the Department of Licensing to the above named person on July 14, 2010 with an expiration date of May 4, 2014. The notary public appointment was renewed beginning May 4, 2014 with an expiration date of May 4, 2018.

I, Kim Summers, depose and say that I am the Manager for the Notary Public Program, Business and Professions Division, Department of Licensing for the state of Washington, and being the lawful custodian of records do hereby certify and declare under penalty of perjury under the laws of the state of Washington, pursuant to Section 9A.72.085 RCW, that the information and statements provided herein are true and correct.

Kim Summers

**Kim Summers, Manager**  
**Notary Public Program**  
**Post Office Box 9027**  
**Olympia, Washington 98507-9027**  
**(360) 664-1532**  
**ksummers@dol.wa.gov**

5/23/16  
Date

District Court El Paso County, Colorado Court Address: 207 S. Tejon St, Colorado Springs, CO 80901		
In re: The Marriage of:		
Petitioner: Roxanne T. Van Pelt kna Roxanne Chastain		
Respondent: David M. Van Pelt		<b>COURT USE ONLY</b>
Attorney for Petitioner Steven J. Barr 1708 N. Tejon St. Colorado Springs, CO 80907 Phone Number: 719 491 1993 FAX Number:		Case Number: 87DR3023  Division                      Courtroom
E-mail: sbarr@cocommercial.net Atty. Reg. #5083		
<b>Notice of Charging Order</b>		

Comes Now the Petitioner, through Counsel and states as follows:

1. A copy of the signed Charging Order was emailed to the Catherine Seale, Esq. the attorney and Personal Representative of the Estate of Louanne Van Pelt Case No. 2015PR00054 on June 9, 2016.
2. A copy of this Order was sent to the last known address of the Respondent on June 24, 2016 and emailed to Courier Process Service, 115 E. Vermijo #202 Colorado Springs, CO, 80903 on June 24, 2015, to wit:

David M. Van Pelt 3355 N. Academy Blvd., #189, Colorado Springs, CO 80917

Respectfully Submitted June 24, 2016,

/s/ Steven J. Barr  
 Steven J. Barr #5083



DISTRICT COURT, EL PASO COUNTY, COLORADO		CLERK OF DISTRICT COURT EL PASO COUNTY, COLORADO 1001 KENNEDY BLVD. - 79901-4000
Court Address: 270 S. Tejon, Colorado Springs, CO, 80901		
Petitioner(s) ROXANNE T VANPELT and Respondent(s) DAVID M VANPELT		<b>△ COURT USE ONLY △</b> Case Number: 1987DR3023 Division: R Courtroom:
Order Proposed Order - Changing Order		

The motion/proposed order attached hereto GRANTED.

Issue Date: 6/9/2016



GILBERT ANTHONY MARTINEZ  
District Court Judge

District Court El Paso County, Colorado Court Address: 207 S. Tejon St, Colorado Springs, CO 80901		
In re: The Marriage of:		
<b>Petitioner: Roxanne T. Van Pelt kna Roxanne Chastain</b>  <b>Respondent: David M. Van Pelt</b>		
Attorney for Petitioner Steven J. Barr 1708 N. Tejon St. Colorado Springs, CO 80907 Phone Number: 719 451 1993 E-mail: sbarr@cocommercial.net FAX Number: Atty. Reg. # 5083		<b>COURT USE ONLY</b>  Case Number: 87DR3023  Division Courtroom
<b>CHARGING ORDER</b>		

THE COURT, having considered Petitioner Roxanne T. Van Pelt kna Roxanne Chastain's, Forthwith Motion for Charging Order pursuant to C.R.S. § 7-80-703, and having reviewed the file and otherwise being fully advised in the premises doth hereby Order:

1. This Court's judgment entered on May 16, 2016, remains unsatisfied and no request for stay or posting of supersedes bond has been made.

2. Pursuant to C.R.S. § 7-80-703, any interest David M. Van Pelt has in Estate of Louanne Van Pelt, Case No. 2015PR30734, in the District Court, El Paso County, Colorado is hereby charged with payment of the Court's Judgment of May 16, 2016 against David M. Van Pelt ("Proceeds").

3. The Personal Representative is ordered to abide by this Order, and to pay to the Petitioner, as set forth below, from the Estate such amounts as are necessary to satisfy the judgment against David M. Van Pelt entered herein, less payments made or funds received, plus interest and costs. The Petitioner within 7 days of the Estate's request, shall provide the Estate with an affidavit setting forth the Judgment amounts.

4. The Clerk of the Court is hereby appointed the Receiver of any Proceeds, and profits, disbursements, or other money due or to become due to David M. Van Pelt from the Proceeds.

5. Any disbursements or monies payable to David M. Van Pelt, or the portion thereof necessary to satisfy the judgment herein, shall immediately be deposited with

the Clerk of this Court, and failure to make such deposit shall result in a finding of contempt by this Court.

6. The Clerk of this Court shall hold all such monies in the Registry Fund of this Court, for a period of 21 days, during which time David M. Van Pelt may file with the Court, in writing, any objections with respect to the application of the disbursements towards the satisfaction of this Court's prior judgment in favor of the Petitioner. Should a timely objection be filed, the Clerk of the Court will retain the such funds in its Registry Fund pending a hearing on the objection. If no such objection is timely filed, the Clerk of this Court shall apply the funds in partial or full payment on the outstanding judgment, and shall immediately disburse the funds as follows.

Steven J Barr, Trust Account  
1708 N Tejon St.  
Colorado Springs, Colorado 80907

7. David M. Van Pelt and the Personal Representative are ordered: (1) to immediately provide any requested documents to the movant, and 2) are prohibiting from avoiding the order by making loans or not paying normal distributions.

8. A copy of this signed order shall be served upon David M. Van Pelt, with a copy sent to the Estate's Personal Representative, Catherine Seal, Esq., within 14 days of the date this order is issued.

DONE this 11th day of July, 2016.

BY THE COURT

District Court Judge

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAVID MERRILL of the VAN PELT  
family,

CASE NO. C-16-0520 RJB

ORDER TO SHOW CAUSE

Plaintiff,

v.

THE UNITED STATES OF AMERICA

Defendant.

This matter comes before the court *qua se* after review of the file.

On June 22, 2016, Plaintiff filed a criminal complaint allegedly on behalf of the United States of America against David Gilbert, Marla Prudek, Frances Renae Johnson, Mark Stewart Samelson and Gilbert Martinez. Dkt. 1. Plaintiff makes charges of: conspiracy, "criminal syndicalism statewide (Secretary of State) to wit no remedy exist on the collusion," exercising office unlawfully, "vacant office," and "form of oath to have ever-living God as witness." *Id.*, at 2. Plaintiff also filed other pleadings, including a "True Bill – Jubilee Claim," which provides "[t]he US Marshal is ORDERED to cause the Arrests of the listed Defendants herein and to Return a Report to Us, Me and the Court." Dkt. 1, at 1.

**Review of the Complaint.** The court has carefully reviewed the complaint in this matter. Because plaintiff filed this complaint *pro se*, the court has construed the pleadings liberally and

1 has afforded plaintiff the benefit of any doubt. *See Karim-Panahi v. Los Angeles Police Dep't*,  
2 839 F.2d 621, 623 (9th Cir.1988).

3 **Jurisdiction and Standing.** "Federal courts are courts of limited jurisdiction," and there  
4 is a presumption "that a cause [of action] lies outside this limited jurisdiction [.]'" *Kokkonen v.*  
5 *Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994). A federal court is presumed to lack  
6 subject matter jurisdiction until plaintiff establishes otherwise. *Id.*; *Stock West, Inc. v.*  
7 *Confederated Tribes*, 873 F.2d 1221, 1225 (9th Cir. 1989).

8 An action must be dismissed for lack of jurisdiction if it: (1) does not arise under the  
9 Constitution, laws, or treaties of the United States, or does not fall within one of the other  
10 enumerated categories of Article III, Section 3, of the Constitution; (2) is not a case or  
11 controversy within the meaning of the Constitution; or (3) is not one described by any  
12 jurisdictional statute. *Baker v. Carr*, 369 U.S. 186 (1962); *D.G. Rung Indus., Inc. v.*  
13 *Tinnerman*, 626 F.Supp. 1062, 1063 (W.D. Wash. 1986). "In its constitutional dimension,  
14 standing imports justiciability; whether the plaintiff has made out a 'case or controversy'  
15 between himself and the defendant within the meaning of Article III" of the U.S. Constitution.  
16 *Warth v. Seldin*, 422 U.S. 490, 498 (1975). In the "absence of standing, a federal court 'lacks  
17 subject matter jurisdiction over the suit.'" *Righthaven LLC v. Hoehn*, 716 F.3d 1166, 1172 (9th  
18 Cir. 2013)(*internal citations omitted*).

19 "Under the authority of Art. II, s 2, Congress has vested in the Attorney General the  
20 power to conduct the criminal litigation of the United States Government." *United States v.*  
21 *Nixon*, 418 U.S. 683, 694 (1974). A citizen, accordingly, may not bring criminal charges against  
22 another by filing a complaint in this court. *See Aldabe v. Aldabe*, 616 F.2d 1089, 1092 (9th  
23 Cir.1980).

1 Plaintiff's complaint attempts to make criminal charges, on behalf of the United States,  
2 against individuals, some who allegedly live in Colorado. It appears that Plaintiff does not have  
3 standing to assert these claims. Accordingly, Plaintiff is ordered to show cause, in writing, on or  
4 before July 15, 2016, if any he has, why this case should not be dismissed for lack of subject  
5 matter jurisdiction. Failure to show cause may result in dismissal of the case.

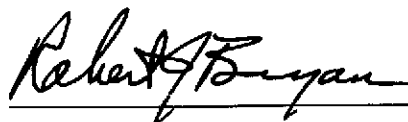
6 Therefore, it is hereby **ORDERED** that

7 Plaintiff is ordered to show cause, in writing, if any he has, on or before July 15,  
8 2016, why this case should not be dismissed for lack of subject matter  
9 jurisdiction;

- 10 • Failure to show cause may result in dismissal of the case.

11 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
12 to any party appearing *pro se* at said party's last known address.

13 Dated this 27th day of June, 2016.

14  
15  
16 

17 ROBERT J. BRYAN  
18 United States District Judge  
19  
20  
21  
22  
23  
24

## Other Orders/Judgments

3:16-cv-05520-RJB Merrill v.  
United States of America

LAW\_CLERK\_B

U.S. District Court

United States District Court for the Western District of Washington

### Notice of Electronic Filing

The following transaction was entered on 6/27/2016 at 1:37 PM PDT and filed on 6/27/2016

**Case Name:** Merrill v. United States of America

**Case Number:** 3:16-cv-05520-RJB

**Filer:**

**Document Number:** 5

#### Docket Text:

**ORDER TO SHOW CAUSE**, by Judge Robert J. Bryan. Plaintiff is ordered to show cause, in writing, if any he has, on or before July 15, 2016, why this case should not be dismissed for lack of subject matter jurisdiction. Show Cause Response due by 7/15/2016. (cc: Pltf @ Colorado Springs, CO address.) (DK)

**3:16-cv-05520-RJB Notice has been electronically mailed to:**

**3:16-cv-05520-RJB Notice will not be electronically mailed to:**

David L Merrill  
3355 North Academy Blvd  
Ste #189  
Colorado Springs, CO 80917-5103

The following document(s) are associated with this transaction:



**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP cceefStamp\_ID=1035929271 [Date=6/27/2016]

[FileNumber=5202364-0]

]

[653fdd13e0262e6a88f23e1f657e72e54519a4caeed783ee8db3edec375c

5582de3e94f048b16907eb7b67329dbec0f088676984fdc9708fc745f3]]

IN THE Western District of Washington - King county  
 1717 Pacific Avenue, Room 3100  
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**David Merrill of the VAN PELT family**

v.

**THE UNITED STATES OF AMERICA**

David Merrill  
 3355 North Academy Boulevard STE #189  
 Colorado Springs, Colorado. 80917-5103

**Case #16-cv-5520**

**CLARIFICATION OF CAUSE**  
**Warrants Issued**

Dear recipient Clerks;

*for Clerk*

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State of WA  
 County Of King

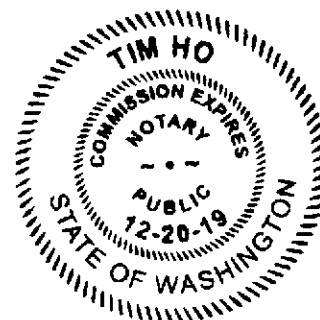
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Tim Ho is / are the person who  
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 on 7/8/2016 (date).

Signature Notary Public

12-20-2019  
 Commission Expires

*693927 red thumbprint*

Redeemed Lawful Money  
 Pursuant to 12 USC §411  
[www.law.cornell.edu/uscode/](http://www.law.cornell.edu/uscode/)



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USDC Presenter in Caption. I am adjusting my signature not to have a red thumbprint.

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901 19th Street - A105  
Denver, Colorado. 80294

US Attorney General - Loretta LYNCH      Priority Mail w/Tracking  
US Department of Justice  
950 Pennsylvania Avenue, NW  
city of Washington, District of Columbia. 20530-0001

US Treasury      Priority Mail w/Tracking  
1500 Pennsylvania Avenue, NW  
city of Washington, District of Columbia. 20220

Fourth Judicial District Clerk of Court      Priority Mail w/Tracking  
NOTICE LIS PENDENS - #87-DR-3023; #2015-PR-30754  
270 South Tejon Street  
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96121500

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ARONIS W. SCHWITT  
EL PASO COUNTY CLERK & RECORDER

1021

F102

OATH OF OFFICE

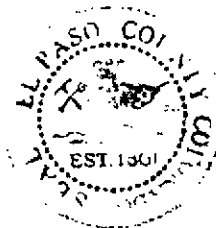
STATE OF COLORADO }  
COUNTY OF EL PASO } ss

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Gilbert Martinez  
Signature

Subscribed and sworn to before me this 12<sup>th</sup> day of January, 1991.

Matt M. Bailey  
Matt M. Bailey, Chief Judge  
Fourth Judicial District



Office of County Clerk and Recorder  
El Paso County, State of Colorado  
Certified to be a full, true and correct  
copy of record in my office.  
Book 6-15-75 Page 1021  
Date 6-15-75  
Chuck Broerman  
County Clerk & Recorder, El Paso County, CO  
Deputy

RECEIVED

JAN 14 2011

ELECTIONS  
SECRETARY OF STATE

20115000995 0  
TATH.OFFICE  
SECRETARY OF STATE  
01/14/2011 12:23:01

STATE OF COLORADO  
COUNTY OF EL PASO

)  
) ss.  
)

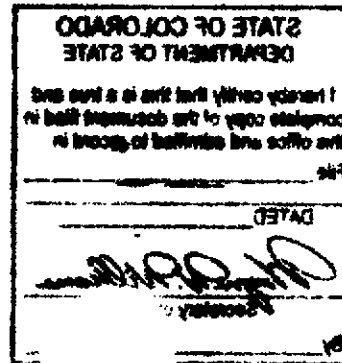
OATH OF OFFICE

I, GILBERT A. MARTINEZ, do solemnly swear that I will support the Constitution of the United States and of the State of Colorado; that I will faithfully and to the best of my ability perform the duties of the office upon which I am about to enter of District Court Judge of the Fourth Judicial District.

Gilbert A. Martinez  
GILBERT A. MARTINEZ

Subscribed and sworn to before me this 11th day of January, 2011.

Kirk S. Samelson  
KIRK SAMELSON  
CHIEF JUDGE  
FOURTH JUDICIAL DISTRICT



Case 3:16-cv-05520-RJB Document 6 Filed 06/29/16 Page 33 of 84

<p>IN THE Western District of Washington 1717 Pacific Avenue, Room 3100 Tacoma, Washington. 98402-3200; (253) 882-3800</p> <hr/> <p>UNITED STATES OF AMERICA</p> <p>v.</p> <p>CERTAIN PRETEND JUDGES/VACANT OFFICES</p> <hr/> <p>David Merrill 3355 North Academy Boulevard STE #189 Colorado Springs, Colorado. 80917-5103</p>	<p>Case #16-cv-5320</p>
<p>COMPTROLLER WARRANT</p> <p>\$20,000,000.00</p>	

The US Treasurer is to Pay to David Merrill (or David Merrill VAN PELT) \$20,000,000.00 in lawful money by demand pursuant to §16 of the Federal Reserve Act of 1913 and Title 12 USC §411, by sending a Treasury Check to the address captioned above.

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County Of King

Redeemed Lawful Money  
Pursuant to 12 USC §411  
[www.fmv.com/RedeemLawfulMoney](http://www.fmv.com/RedeemLawfulMoney)

I certify that I know or have satisfactory evidence that  
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David GILBERT #13737; Maria PRUDEK #16155; Frances Renee JOHNSON #36200; Kirk  
 Stewart SAMELSON #8832; Gilbert MARTINEZ #8754

All of whom can be found during typical business at the 4th Judicial District courthouse at 270 S.  
 Tejon Street in Colorado Springs, Colorado; YOU ARE HEREBY COMMANDED TO  
 ARREST the defendants herein described and to make your return as provided by law;

Take the defendants into federal custody in Littleton, Colorado, and

Promptly make your return of this Warrant to the USDC clerk of court in Washington state,  
 address captioned above.

Done at Washington state at Tacoma, near Olympia this 29<sup>th</sup> day of June, Twenty-  
 Nineteen

I certify that I know or have satisfactory evidence that  
David Merrill is/are the person who  
 appeared before me, and signed and sworn  
 on 6/29/2016 date.  
Thomas W. Hardy 5/14/2019  
 Signature Notary Public Commission Expires

Endorsed Local Money  
 Payment to 22 USC 6417  
 www.fine-print.com

David Merrill - Trustee.



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District Court El Paso County, Colorado Court Address: 207 S. Tejon St, Colorado Springs, CO 80901		
In re: The Marriage of:		
Petitioner: Roxanne T. Van Pelt kna Roxanne Chastain		
Respondent: David M. Van Pelt		<b>COURT USE ONLY</b>
Attorney for Petitioner Steven J. Barr 1708 N. Tejon St. Colorado Springs, CO 80907 Phone Number: 719 491 1993 FAX Number:		Case Number: 87DR3023  Division                      Courtroom
E-mail: sbarr@cocommercial.net Atty. Reg. #5083		
<b>Notice of Charging Order</b>		

Comes Now the Petitioner, through Counsel and states as follows:

1. A copy of the signed Charging Order was emailed to the Catherine Seale Esq. the attorney and Personal Representative of the Estate of Louanne Van Pelt Case No. 2015PR00054 on June 9, 2016.
2. A copy of this Order was sent to the last known address of the Respondent on June 24, 2016 and emailed to Courier Process Service, 115 E. Hermijo #202 Colorado Springs, CO, 80903 on June 24, 2015, to wit:

David M. Van Pelt 3355 N. Academy Blvd., #189, Colorado Springs, CO 80917

Respectfully Submitted June 24, 2016,

/s/ Steven J. Barr  
 Steven J. Barr #5083

DISTRICT COURT, EL PASO COUNTY, COLORADO		FILED FOR THE COURT BY CLERK/CLERK DEPUTY
Court Address: 270 S. Tejon, Colorado Springs, CO, 80901		
Petitioner(s) ROXANNE T VANPELT and Respondent(s) DAVID M VANPELT		△ COURT USE ONLY △ Case Number: 1987DR3023 Division: R Courtroom:
Order Proposed Order - Changing Order		

The motion/proposed order attached hereto GRANTED.

Issue Date: 6/9/2016

*Gilbert Anthony Martinez*

GILBERT ANTHONY MARTINEZ  
District Court Judge

District Court El Paso County, Colorado Court Address: 207 S. Tejon St, Colorado Springs, CO 80901		
In re: The Marriage of:		
<b>Petitioner: Roxanne T. Van Pelt kna Roxanne Chastain</b>  <b>Respondent: David M. Van Pelt</b>		
Attorney for Petitioner Steven J. Barr 1708 N. Tejon St. Colorado Springs, CO 80907 Phone Number: 719 451 1993 E-mail: sbarr@cocommercial.net FAX Number: Atty. Reg. # 5083		<b>COURT USE ONLY</b>  Case Number: 87DR3023  Division Courtroom
<b>CHARGING ORDER</b>		

THE COURT, having considered Petitioner Roxanne T. Van Pelt kna Roxanne Chastain's, Forthwith Motion for Charging Order pursuant to C.R.S. § 7-80-703, and having reviewed the file and otherwise being fully advised in the premises doth hereby Order:

1. This Court's judgment entered on May 16, 2016, remains unsatisfied and no request for stay or posting of supersedes bond has been made.

2. Pursuant to C.R.S. § 7-80-703, any interest David M. Van Pelt has in Estate of Louanne Van Pelt, Case No. 2015PF30734, in the District Court, El Paso County, Colorado is hereby charged with payment of the Court's Judgment of May 16, 2016 against David M. Van Pelt ("Proceeds").

3. The Personal Representative is ordered to abide by this Order, and to pay to the Petitioner, as set forth below, from the Estate such amounts as are necessary to satisfy the judgment against David M. Van Pelt entered herein, less payments made or funds received, plus interest and costs. The Petitioner within 7 days of the Estate's request, shall provide the Estate with an affidavit setting forth the Judgment amounts.

4. The Clerk of the Court is hereby appointed the Receiver of any Proceeds, and profits, disbursements, or other money due or to become due to David M. Van Pelt from the Proceeds.

5. Any disbursements or monies payable to David M. Van Pelt, or the portion thereof necessary to satisfy the judgment herein, shall immediately be deposited with

the Clerk of this Court, and failure to make such deposit shall result in a finding of contempt by this Court.

6. The Clerk of this Court shall hold all such moneys in the Registry Fund of this Court, for a period of 21 days, during which time David M. Van Pelt may file with the Court, in writing, any objections with respect to the application of the disbursements towards the satisfaction of this Court's prior judgment in favor of the Petitioner. Should a timely objection be filed, the Clerk of the Court will retain any such funds in its Registry Fund pending a hearing on the objection. If no such objection is timely filed, the Clerk of this Court shall apply the funds in partial or full payment on the outstanding judgment, and shall immediately disburse the funds as follows.

Steven J Barr, Trust Account  
1708 N Tejon St.  
Colorado Springs, Colorado 80907

7. David M. Van Pelt and the Personal Representative are ordered: (1) to immediately provide any requested documents to the movant; and 2) are prohibiting from avoiding the order by making loans or not paying normal distributions.

8. A copy of this signed order shall be served upon David M. Van Pelt, with a copy sent to the Estate's Personal Representative, Catherine Seal, Esq., within 14 days of the date this order is issued.

DONE this 11th day of July, 2016.

BY THE COURT

District Court Judge

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAVID MERRILL of the VAN PELT  
family,

Plaintiff,

v.

THE UNITED STATES OF AMERICA

Defendant.

CASE NO. C-16-0520 RJB

ORDER TO SHOW CAUSE

This matter comes before the court *qua se* after review of the file.

On June 22, 2016, Plaintiff filed a criminal complaint allegedly on behalf of the United States of America against David Gilbert, Marla Prudek, Frances Renae Johnson, and Stewart Samelson and Gilbert Martinez. Dkt. 1. Plaintiff makes charges of: conspiracy, "criminal syndicalism statewide (Secretary of State) to that no remedy exist on the collusion," exercising office unlawfully, "vacant office," and "form of oath to have ever-living God as witness." *Id.*, at 2. Plaintiff also filed other pleadings, including a "True Bill – Jubilee Claim," which provides "[t]he US Marshal is ORDERED to cause the Arrests of the listed Defendants herein and to Return a Report to Us, Me and the Court." Dkt. 1, at 1.

**Review of the Complaint.** The court has carefully reviewed the complaint in this matter. Because plaintiff filed this complaint *pro se*, the court has construed the pleadings liberally and

1 has afforded plaintiff the benefit of any doubt. *See Karim-Panahi v. Los Angeles Police Dep't*,  
2 839 F.2d 621, 623 (9th Cir.1988).

3 **Jurisdiction and Standing.** "Federal courts are courts of limited jurisdiction," and there  
4 is a presumption "that a cause [of action] lies outside this limited jurisdiction [.]'" *Kokkonen v.*  
5 *Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994). A federal court is presumed to lack  
6 subject matter jurisdiction until plaintiff establishes otherwise. *Id.*; *Stock West, Inc. v.*  
7 *Confederated Tribes*, 873 F.2d 1221, 1225 (9th Cir.1989).

8 An action must be dismissed for lack of jurisdiction if it: (1) does not arise under the  
9 Constitution, laws, or treaties of the United States, or does not fall within one of the other  
10 enumerated categories of Article III, Section 1, of the Constitution; (2) is not a case or  
11 controversy within the meaning of the Constitution; or (3) is not one described by any  
12 jurisdictional statute. *Baker v. Carr*, 369 U.S. 186 (1962); *D.G. Rung Indus., Inc. v.*  
13 *Tinnerman*, 626 F.Supp. 1062, 1063 (W.D. Wash. 1986). "In its constitutional dimension,  
14 standing imports justiciability; whether the plaintiff has made out a 'case or controversy'  
15 between himself and the defendant within the meaning of Article III" of the U.S. Constitution.  
16 *Warth v. Seldin*, 422 U.S. 490, 498 (1975). In the "absence of standing, a federal court 'lacks  
17 subject matter jurisdiction over the suit.'" *Righthaven LLC v. Hoehn*, 716 F.3d 1166, 1172 (9th  
18 Cir. 2013)(internal citations omitted).

19 "Under the authority of Art. II, s 2, Congress has vested in the Attorney General the  
20 power to conduct the criminal litigation of the United States Government." *United States v.*  
21 *Nixon*, 418 U.S. 683, 694 (1974). A citizen, accordingly, may not bring criminal charges against  
22 another by filing a complaint in this court. *See Aldabe v. Aldabe*, 616 F.2d 1089, 1092 (9th  
23 Cir.1980).

1 Plaintiff's complaint attempts to make criminal charges, on behalf of the United States,  
2 against individuals, some who allegedly live in Colorado. It appears that Plaintiff does not have  
3 standing to assert these claims. Accordingly, Plaintiff is ordered to show cause, in writing, on or  
4 before July 15, 2016, if any he has, why this case should not be dismissed for lack of subject  
5 matter jurisdiction. Failure to show cause may result in dismissal of the case.

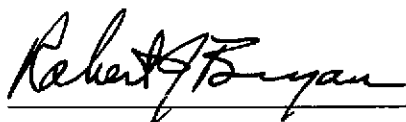
6 Therefore, it is hereby **ORDERED** that

7 Plaintiff is ordered to show cause, in writing, if any he has, on or before July 15,  
8 2016, why this case should not be dismissed for lack of subject matter  
9 jurisdiction;

- 10 • Failure to show cause may result in dismissal of the case.

11 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
12 to any party appearing *pro se* at said party's last known address.

13 Dated this 27th day of June, 2016.

14  
15  
16 

17 ROBERT J. BRYAN  
18 United States District Judge  
19  
20  
21  
22  
23  
24



## Other Orders/Judgments

3:16-cv-05520-RJB Merrill v.  
United States of America

LAW\_CLERK\_B

U.S. District Court

United States District Court for the Western District of Washington

### Notice of Electronic Filing

The following transaction was entered on 6/27/2016 at 1:37 PM PDT and filed on 6/27/2016

**Case Name:** Merrill v. United States of America

**Case Number:** 3:16-cv-05520-RJB

**Filer:**

**Document Number:** 5

#### Docket Text:

**ORDER TO SHOW CAUSE**, by Judge Robert J. Bryan. Plaintiff is ordered to show cause, in writing, if any he has, on or before July 15, 2016, why this case should not be dismissed for lack of subject matter jurisdiction. Show Cause Response due by 7/15/2016. (cc: Pltf @ Colorado Springs, CO address.) (DK)

**3:16-cv-05520-RJB Notice has been electronically mailed to:**

**3:16-cv-05520-RJB Notice will not be electronically mailed to:**

David L Merrill  
3355 North Academy Blvd  
Ste #189  
Colorado Springs, CO 80917-5103

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

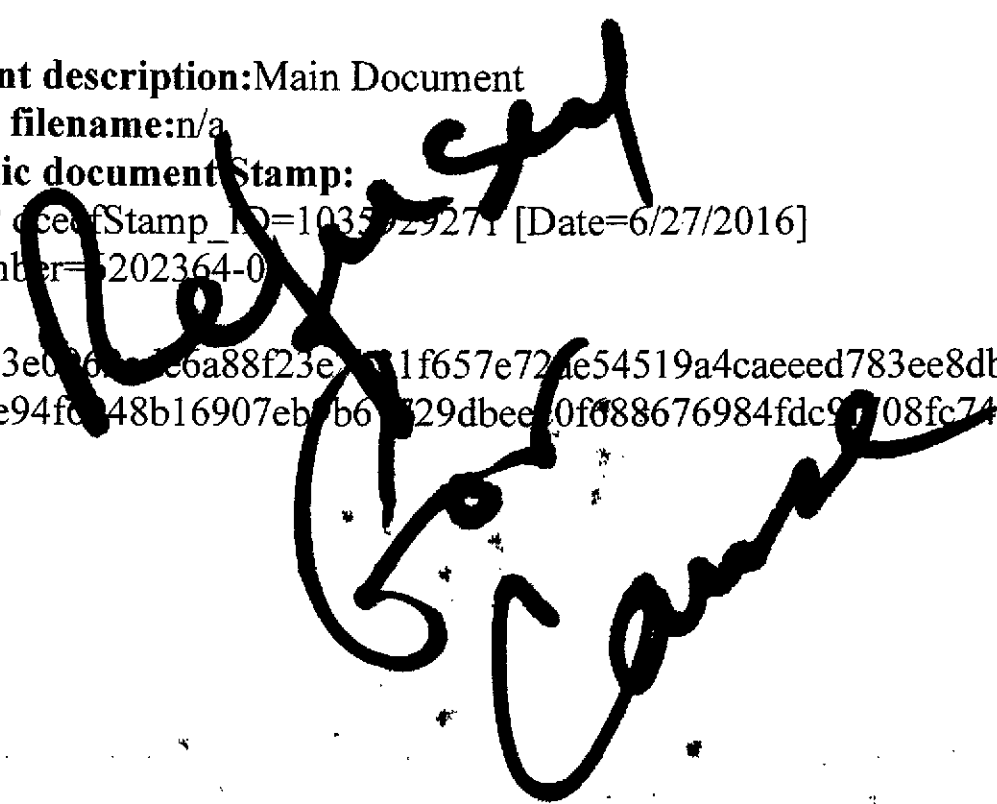
**Electronic document Stamp:**

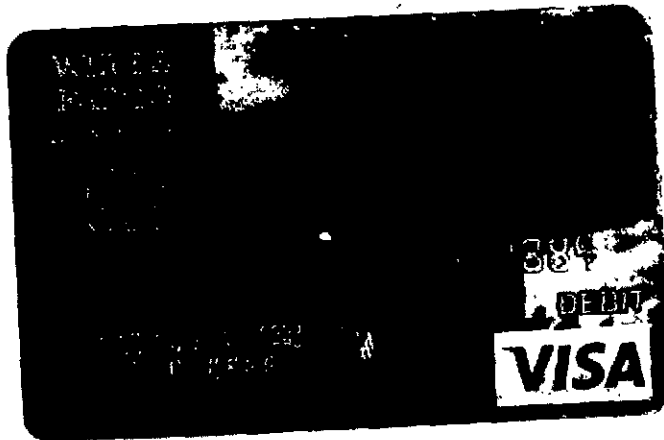
[STAMP dcecfStamp\_ID=1035929271 [Date=6/27/2016]

[FileNumber=5202364-0

]

[653fdd13e0267e6a88f23e731f657e724e54519a4caeed783ee8db3edec375c  
5582de3e94fc248b16907eb7b67329dbec0f088676984fdc97708fc745f3]]

A large, stylized handwritten signature in black ink is written across the center of the page, overlapping the electronic stamp text. The signature appears to be 'W. J. Carr'.



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001	000003 (011)	TO \$	10.00
	Notary		
002	001040 (001)	TO \$	8.61
	Ground Commercial		
	Tracking# 1ZV326300394501078		
003	001040 (001)	TO \$	10.14
	Ground Commercial		
	Tracking# 1ZV326300361169384		
004	001040 (001)	TO \$	10.45
	Ground Commercial		
	Tracking# 1ZV326300361171022		
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	Ground Commercial		
	Tracking# 1ZV326300361174305		
007	500349 (025)	T1 \$	3.95
	Lrg Manila	NR QTY 5	
	Reg Unit Price	\$	0.79

SubTotal \$ 63.74  
Sales Tax (T1) \$ 0.38  
Total \$ 64.12

VISA \$ 64.12  
ACCOUNT NUMBER \* \*\*\*\*\*7884  
Appr Code: (S) Sale

Lawful Money.

Items Designated NR are NOT eligible  
for Returns, Refunds or Exchanges.

Receipt ID 82180113584589888174 011 Items  
CSH: Tim Tran: 7903 Reg: 002

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